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July 20, 2005  
CM# 123081-339613 (T01215-0073-US)  
TKID: 8913

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Name:	Firm:	Telephone:	Fax:
To: Examiner Haile	USPTO	571 272 3072	571 273 8300

	Telephone:	Fax:
From: Robert H. Nakano	416 601-7852	416 868-0673

In re Application of: **OLESINSKI, Wlodek et al.**  
Serial No.: **09/833,531**  
Filed: **April 11, 2001**  
Title: **METHOD AND APPARATUS FOR PROCESSING  
REQUESTS FOR STATISTICS IN A COMMUNICATION  
NETWORK**  
Examiner: **Feben M. HAILE**  
Art Unit: **2663**  
Atty's Docket No.: **123081-339613 (T01215-0073-US)**

**Please see the attached communication, including:**

(1) Transmittal Form PTO/SB/21 (1 page);	(4) Notice of Change of Representative, including PTO/SB/82 and PTO/SB/96 (4 pages); and
(2) Fee Transmittal Form PTO/SB/17 (1 page);	(5) Response to Office Action (17 pages).
(3) Certificate of Transmission by Facsimile (1 page);	

Pursuant to 37 C.F.R. s. 1.8, I certify that the following correspondence is being transmitted via facsimile transmission to the United States Patent Office at telephone number 571-273-8300 on July 20, 2005.

Signature:  
Name:

  
Robert H. Nakano

Date: July 20, 2005

123081-339613  
McCarthy Tétrault LLP TDO-RED #8282619 v. 1

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PTO/SB/97 (09-04)

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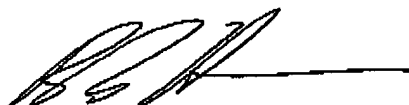
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**Robert H. Nakano**

Typed or printed name of person signing Certificate

46,498

Registration Number, if applicable

416-601-7852

Telephone Number

1. Transmittal Form PTO/SB21;
2. Fee Transmittal Form PTO/SB17;
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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)


Total Number of Pages in This Submission

Application Number	09/833,531
Filing Date	04/11/2001
First Named Inventor	Waldok OLESINSKI
Art Unit	2663
Examiner Name	Febon HAILE
Attorney Docket Number	123081-339613 (TD1215-0073-US)

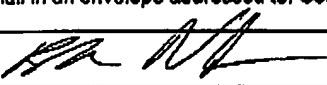
**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Facsimile Transmission; Notice of Change of Representative; Form PTO/SB/96; Response to Office Action.
Remarks _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Robert H. Nakano (Reg. No. 46,498) McCarthy Tétrault LLP (Customer No. 27155)		
Signature			
Printed name	Robert H. Nakano		
Date	July 20, 2005	Reg. No.	46,498

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Robert H. Nakano (Reg 46,498)	Date	July 20, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 07/31/2005. OMB 0851-0032  
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 09/833,531 Filing Date 04/11/2001 First Named Inventor Waldek OLESINSKI Examiner Name Feben HAILE Art Unit 2663 Attorney Docket No. 123081-339613 (T01215-0073-US)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>JUL 20 2005</b>	
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 0.00			

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
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 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION**
**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of total claims paid for, if greater than 20

Indep. Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets \_\_\_\_\_ Extra Sheets \_\_\_\_\_ Number of each additional 50 or fraction thereof \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = 0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	46,498
Name (Print/Type)	Robert H. Nakano	Telephone	416-601-7852
		Date	July 20, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature: 

Date: July 20, 2005

Name: Robert Nakano (Reg #46,498)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re Application of:</b>	<b>OLESINSKI, Wlodek et al.</b>
<b>Title:</b>	<b>METHOD AND APPARATUS FOR PROCESSING REQUESTS FOR STATISTICS IN A COMMUNICATION NETWORK</b>
<b>Serial No.:</b>	<b>09/833,531</b>
<b>Art Unit:</b>	<b>2663</b>
<b>Examiner:</b>	<b>Feben M. HAILE</b>
<b>Atty's Docket No.:</b>	<b>123081-339613 (T01215-0073-US)</b>

Date: July 20, 2005

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 United States Patent and Trademark Office  
 Customer Window, Mail Stop AMENDMENT  
 Randolph Building  
 401 Dulany Street  
 Alexandria, Virginia 22314 U.S.A.

**NOTICE OF CHANGE OF REPRESENTATIVE FOR APPLICANT**

Dear Commissioner:

Kindly note that by way of a transmittal of July 20, 2005, we are submitting a response to the Office Action mailed on April 21, 2005 in connection with this matter.

Herein, additionally, a Revocation of Power of Attorney and Appointment of New Power of Attorney and a Statement under 37 CFR 3.73(b) executed by a representative of the Assignee of record are also submitted.

123081-339613  
 TDO-RED #8277495 v. 1

Application No. 09/833,531

- 2 -

Applicant requests that the Patent and Trademark Office update its records for this application accordingly, and forward all correspondence to Customer Service #27155 at the address indicated above.

Respectfully submitted



Robert H. Nakano  
(Registration No. 46,498)

July 20, 2005

Date

McCarthy Tétrault LLP  
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123081-339613  
TDO-RED #8277495 v. 1